

From: Graham, Gary
Sent: Friday, October 25, 2002 11:23 AM
To: Skelly, David
Cc: Doshi, Yogesh; Turner, Chuck
Subject: RE: Relocation of portable non-road diesel engines

Yogesh will have to answer your question about BACT for diesel engines. I believe that BACT for non-road diesel engines is currently equivalent to the at least the EPA Tier I requirements, and possibly Tier 2. See <http://www.dieselnet.com/standards/us/offroad.php> and get with Yogesh Doshi for a determination.

In response to the rest of your question:

Situation: A portable stone processing plant with 85 tons per year of permitted diesel engine NOx emissions will be relocated into a serious or severe non-attainment area in which those NOx emissions would be major.

Question: Since this is a portable plant, how will the relocation of this portable plant into a non-attainment area be handled? It is now a minor source in an attainment area, but it will be a major source in the non-attainment area to which it will be relocated.

Answer: As far as portable facilities go, the relocation of a portable source is only exempt under Minor NSR regulations. As always, any change must first be evaluated for its impact on Major NSR before making any Minor NSR determination. If the relocation of the source would make it subject to Major Source NSR review, then the appropriate permit must be obtained prior to relocating the portable source. 9 VAC 5-80-1100 G makes it clear that exemption of a relocated portable source from permitting under 9 VAC 5-80-1320 A.1.c does not exempt an applicable source from the requirements of Major NSR review. 9 VAC 5-80-1720 B and 9 VAC 5-80-2020 B both make it clear that a permit is required for the relocation of any source that must be registered (9 VAC 5-20-160), if it is subject to review under Major Source NSR regulations.

My idea of the way that this should happen is that when the source contacts the receiving DEQ regional office to notify them of the relocation of the portable facility to the new site (required under 9 VAC 5-80-1320 A.1.c(5)), then the regional office obtains the travelling file and makes a determination of the suitability of the portable facility for the new site as required by 9 VAC 5-80-1320 A.1.c(4).

If that analysis indicates that the portable facility would be a new major stationary source or a major modification of a major stationary source under Articles 8 or 9 for the new site, then the regional office would contact the source prior to the close of the 15 day relocation notification period and notify them of the requirement to obtain a permit/permit amendment before relocating.

This is true more generally than just for relocating a portable plant from an attainment area to a non-attainment area. If the portable plant is relocated to the site of an existing PSD-major stationary source to augment its operations, it may meet the definition of a major modification if the net emission increase at the major stationary source is "significant". If the relocated source meets the "common control", Major Group SIC code and co-location requirements, then it becomes part of the PSD source applicability determination for the major stationary source and becomes subject to "top-down BACT" and other PSD permit review requirements.

Office of Air Permit Programs